

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

JANIECE BOLLIE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 07 C 1382
	)	
BOARD OF TRUSTEES OF COMMUNITY	)	
COLLEGE DISTRICT NO. 516, etc.,	)	
	)	
Defendant.	)	

MEMORANDUM ORDER

Board of Trustees of Waubonsee Community College District 516 a/k/a Waubonsee Community College ("Board") has filed its Answer to Counts III and V of the Second Amended Complaint in this action. This very brief memorandum order is issued sua sponte to require one modification to that responsive pleading.

Here is the first sentence of Answer ¶47:

The first sentence of paragraph 47 calls for a legal conclusion and, therefore, the Board lacks sufficient knowledge or information to form a belief as [to] the truth of such allegation.

Quite apart from the fact that legal conclusions are an entirely proper part of federal pleading (see App. ¶2 to State Farm Mut. Auto. Ins. Co. v. Riley, 199 F.R.D. 276, 278 (N.D. Ill. 2001)), it is a total non sequitur to invoke the second sentence of Fed. R. Civ. P. 8(b) as the basis for not responding to such a conclusion at all. Accordingly the first sentence of Answer ¶47 is stricken, and Board's counsel is ordered to file an appropriate answer in place of the stricken pleading on or before

August 24, 2007.

A handwritten signature in cursive script, reading "Milton I. Shadur".

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Milton I. Shadur  
Senior United States District Judge

Date: August 15, 2007